**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN**
**&**
**THE HONOURABLE MR. JUSTICE ANTONY DOMINIC**

**MONDAY, THE 18TH JUNE 2007 / 28TH JYAISHTA 1929**

**WA.No. 1373 of 2000()**
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**AGAINST THE JUDGEMENT/ORDER IN OP.6963/1999 Dated 03/03/2000**
**.....**

**APPELLANT:WRIT PETITIONER**
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**R.THANKAPPAN NAIR,**
**CHATTAMPI SWAMY ROAD,**
**T.C.17/945, THIRUVANANTHAPURAM.**

**BY ADV. SRI.N.NANDAKUMARA MENON**
**SRI.MURALI PURUSHOTHAMAN**

**RESPONDENTS:RESPONDENTS**
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**1. DEPUTY INSPECTOR GENERAL,**
**JAIL ADDITIONAL DIRECTOR,**
**GENERAL OFFICE, TRIVANDRUM.**

**2. THE SECRETARY (HOME),**
**GOVERNMENT SECRETARIAT,**
**GOVERNMENT OF KERALA,**
**TRIVANDRUM.**

**3. THE CHIEF SECRETARY,**
**GOVERNMENT SECRETARIAT,**
**GOVERNMENT OF KERALA,**
**THIRUVANANTHAPURAM.**

**BY GOVERNMENT PLEADER SRI.SANDESH RAJA**

**THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 18/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**K.S.RADHAKRISHNAN & ANTONY DOMINIC, JJ.**

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**W.A. NO. 1373 OF 2000**

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**Dated this the 18th day of June, 2007**

**J U D G M E N T**

**Radhakrishnan, J.**

Original petition was preferred by the appellant herein seeking a writ of certiorari to quash Ext.P3 order of barring of two increments with cumulative effect. Petitioner has retired from service. Disciplinary proceedings were initiated against the petitioner on the allegation that he had helped the U.T.Prisoner to write a request to the Manager, Indian Overseas Bank on 22.1.94 for obtaining a cheque leaf and forwarded the same through his friend without obtaining permission from the Superintendent, Sub Jail and a detailed enquiry was conducted and petitioner was found guilty. Initially it was proposed to remove him from service and later it was decided to impose the minor punishment of barring of two increments with cumulative effect. A review petition was preferred by the petitioner, which was also rejected. The main contention raised by the petitioner was that while conducting the enquiry, the principle of natural justice was not

followed.

We find that proper enquiry was conducted and we find no infirmity in the judgment of the learned Single Judge. In the circumstances, we are not inclined to take a different view taken by the learned Single Judge. Appeal lacks merits. Dismissed.

**K.S.RADHAKRISHNAN, JUDGE.**

**ANTONY DOMINIC, JUDGE.**

Rp